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SURFACE TRANSPORTATION BOARD

FIRST UNION RAIL

One O'hare Centre
6250 River Road, Suite 5000
Rosemont, IL 60018-4214

Tel 847.318.7575
Fax 847.318 7588
www.firstunionrail.com

VIA UPS NEXT DAY AIR

February 22, 2013

Chief Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Suite 100
Washington, DC 20423-0001
Attn: Recordation of Railroad Equipment

Re: Memorandum of Partial Lease Termination

Dear Section Chief

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are three (3) originals of a Memorandum of Partial Lease Termination dated February 21, 2013, a secondary document as defined in the Board's Rules for the Recordation of Documents. The enclosed document relates to the Memorandum of Lease evidencing such lease Equipment which was duly filed at the Surface Transportation Board on September 13, 2005 at 2:14 p.m. with primary recordation number 25830; June 4, 2007 at 1:15 p.m. with recordation number 25830-D; July 24, 2008 at 3:46 p.m. with recordation number 25830-F and August 27, 2009 at 3:06 p.m. having recordation number 25830-G.

The names and addresses of the parties to the enclosed document are:

Lessor First Union Rail Corporation
One O'Hare Centre
6250 N River Road, Suite 5000
Rosemont, IL 60018

Lessee Dauber Company, Inc.
577 North 18th Mile Road
Tonica, IL 61370

The enclosed document is for fifteen (15) hopper cars having FURX marks, (see Exhibit A for car numbers) which have been terminated in all respects and are no longer covered under the Lease.

A short summary of the document to appear in the index follows Memorandum of Partial Lease Termination

Also enclosed is a check in the amount of \$412.00 payable to the order of the Surface Transportation Board covering the required recordation fee. Kindly return one (1) stamped original of the enclosed document to the undersigned along with the additional copies.

If you have any questions regarding the above-referenced matter, please contact me at (847) 384-5397. Thank you for your cooperation in this matter.

Sincerely,



Marcia Dunne
Senior Documentation Specialist

Enclosures

(DABR001,006,010,012)

FEB 25 '13 -2 46 PM

NOTICE OF MEMORANDUM OF PARTIAL LEASE TERMINATION

SURFACE TRANSPORTATION BOARD

THIS NOTICE OF MEMORANDUM OF PARTIAL LEASE TERMINATION (the "Memorandum") dated as of February 21, 2013 is made by First Union Rail Corporation ("Lessor"), a North Carolina corporation, and pertains to that certain Lease Agreement dated as of August 1, 2005, (the "Lease"), between Lessor and Dauber Company, Inc. ("Lessee"), an Illinois corporation.

WITNESSETH:

WHEREAS, Lessor and Lessee entered into the Lease whereby Lessor has agreed to lease to Lessee certain railcars (the "Equipment") as more particularly described in on Exhibit A attached hereto; and,

WHEREAS, Lessor and Lessee entered into certain Memoranda of Lease, evidencing the above-described Lease of such Equipment, which was filed at the Surface Transportation Board on September 13, 2005 at 2:14 p.m. with primary recordation number 25830, June 4, 2007 at 1:15 p.m. with recordation number 25830-D, July 24, 2008 at 3:46 p.m. with recordation number 25830-F and August 27, 2009 at 3:06 p.m. having recordation number 25830-G.

WHEREAS, certain Equipment has been released and is no longer covered under the Lease, and,

NOW, THEREFORE, the Lessor desires to clarify the public record state as follows:

1. This Notice serves as notice that the Equipment listed on the attached Exhibit A as evidenced by the Memoranda of Lease filed with the Surface Transportation Board has been terminated in all respects.
2. All of the interest of the Lessee, its successors and assigns, in the Equipment listed on Exhibit A arising pursuant to the Lease has been terminated.
3. Lessor wishes to record this Notice of Partial Termination of Memorandum of Lease so as to release the lien with respect to the Equipment

IN WITNESS WHEREOF, the party hereto has caused this Memorandum to be duly executed by their respective officer duly authorized as of the date and year first above written (and the undersigned declares under penalty of perjury that he holds the title indicated below and that the execution of this Memorandum was the free act and deed of its corporation).

LESSOR:

FIRST UNION RAIL CORPORATION

Name Rick Grossman

Title: Vice President- Equipment

Signature: 

EXHIBIT A
to
MEMORANDUM OF PARTIAL LEASE TERMINATION

NUMBER OF CARS: Fifteen (15)

DESCRIPTION OF CARS: Hopper Cars

CAR NUMBERS:

- FURX 922806
- FURX 922808
- FURX 922814
- FURX 922823
- FURX 922833
- FURX 922853
- FURX 922854
- FURX 922861
- FURX 922867
- FURX 922869
- FURX 922870
- FURX 922873
- FURX 922901
- FURX 922903
- FURX 922905